

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1095

Introduced by Halloran, 33.

Read first time January 19, 2022

Committee: Agriculture

- 1 A BILL FOR AN ACT relating to the Animal Health and Disease Control Act;
- 2 to amend section 54-2949, Reissue Revised Statutes of Nebraska; to
- 3 change provisions relating to premises registration and animal
- 4 disease traceability; to harmonize provisions; and to repeal the
- 5 original section.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 54-2949, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 54-2949 (1) The department may cooperate with the Animal and Plant
4 Health Inspection Service of the United States Department of Agriculture
5 and any other local, state, or national agency or organization, public or
6 private, to facilitate voluntary participation in or compliance with
7 animal disease traceability, including animal identification and premises
8 registration. For purposes of animal disease traceability, a Nebraska
9 livestock owner may choose to identify animals using any method set forth
10 in 9 C.F.R. part 86, as such part existed on January 1, 2020, as well as
11 any additional method approved by the department as an official form of
12 identification.

13 (2) Except if in conflict with any applicable disease traceability
14 or disease program requirement, the department shall (a) facilitate a
15 request by a registrant for withdrawal of a premises registration, (b)
16 cooperate with the United States Department of Agriculture as necessary
17 for such purpose, and (c) if such registration is withdrawn, provide
18 written confirmation to the registrant of the removal of premises
19 registration records from any department database.

20 (3) ~~(1)~~ Any information that a person provides to the department for
21 purposes of voluntary participation in or compliance with premises
22 registration, animal identification, or other components of ~~for voluntary~~
23 ~~participation in or compliance with~~ animal disease traceability shall not
24 be a public record subject to disclosure under sections 84-712 to
25 84-712.09. The department and its employees or agents shall not disclose
26 such information to any other person or agency, except when such
27 disclosure ~~is~~ is (a) ~~Is~~ authorized by the person who provided the
28 information ~~or~~ (b) ~~Is~~ necessary for purposes of disease surveillance or
29 to carry out epidemiological investigations related to incidences of
30 animal disease.

31 (4) ~~(2)~~ The department may disclose information as authorized by

1 this section subject to any confidentiality requirements that the
2 department determines are appropriate under the circumstances.

3 (5) ~~(3)~~ Any person who violates this section shall be subject to
4 prosecution for official misconduct pursuant to section 28-924.

5 (6) ~~(4)~~ Nothing in this section shall be construed to prohibit the
6 department from discussing, reporting, or otherwise disclosing the
7 progress or results of disease surveillance activities or epidemiological
8 investigations related to incidence of animal disease.

9 Sec. 2. Original section 54-2949, Reissue Revised Statutes of
10 Nebraska, is repealed.